



# State Senator Jud Gilbert

SERVING THE 25TH DISTRICT – LAPEER & ST. CLAIR COUNTIES

*Breaking news from Senator Gilbert's Office  
A Legislative Bulletin for Residents of the 25th District*

## **GILBERT GAZETTE**

### **\$375,000 grant to upgrade Lapeer Road**

Motorists in St. Clair County will benefit from a grant that will be used to expand portions of Lapeer Road. The money will be used to upgrade Lapeer road between I-94 and 32<sup>nd</sup> Street in Port Huron Township by resurfacing the roadway, adding a left-turn lane and expanding the shoulders of the road.

According to the Michigan Department of Transportation, these Category F grants from the Transportation Economic Development Fund allow urban areas located in rural counties to expand and preserve the secondary all-season road network. The fund is created to help state government, local agencies and businesses work together to meet the extensive and urgent demands placed upon the transportation system by economic development throughout the state.

### **Senate passes package preserving Michigan's water**

Senate Bills 850-852, 854 and 857 create new standards for water withdrawals and permit programs for water users to help avoid adverse impacts on the environment. These new regulations would help prevent a water crisis in the future and help preserve the Great Lakes for future generations.

The package will:

- Put in place a system to manage significant new water withdrawals that have the potential to impact our water and water-dependent natural resources;
- Implement an interim standard that will provide protections for key designated trout streams by defining critical zones around the streams;
- Develop an easy-to-use model to replace the interim standard that will allow a user to click on a map and determine if water use will cause an adverse impact;
- Implement a permitting program for the largest water users in the state; and
- Authorize the creation of groups of water users to work with DEQ in crafting water plans that resolve water use problems before adverse impacts occur.

### **Lawmakers pass welfare-reform legislation**

Michigan's welfare policy would be improved and opportunities for the state's neediest expanded, under reforms that were passed by the Legislature and sent to the governor this week. Lawmakers want to focus state programs that offer job training and educational opportunities to long-term welfare recipients.

After the initial welfare reform legislation under Gov. Engler, Michigan saw its caseloads drop from about 240,000 to around 77,000. Those remaining on welfare need intensive assistance including education, job training, and related programs to become independent, especially given the state's economy.

The legislative package also would strengthen accountability for people abusing the welfare system after lawmakers heard directly from front-line caseworkers. The legislation also improves accountability measures for state departments to ensure long-term welfare recipients are identified and efforts focused on them.

### **Nursing Home Checks**

Legislation designed to protect senior citizens and vulnerable individuals in residential care facilities was approved by the Senate. The two-bill package would require residential care facilities across the state to conduct criminal background checks of all potential employees, as well as obtain fingerprints on all current employees to be entered into a database.

Senate Bills 621 and 622 would amend the Adult Foster Care Facility Licensing Act and the Public Health Code to clarify who can have regular direct access or provide direct services to patients or adult foster care facility residents.

Under SB 622 an individual cannot work, independently contract, or be granted clinical privileges in an adult foster care facility if convicted of a felony, unless 15 years have lapsed since all terms and conditions of the sentence, parole and probation were completed. Employing individuals convicted of a misdemeanor involving drugs, abuse, neglect, assault, battery, criminal sexual conduct within the past 10 years would also be prohibited.

If signed into law, SB 621 would essentially do the same for health care facilities or agencies, including nursing homes, county medical care facilities, hospices, hospitals that provide swing bed services, homes for the aged, and home health agencies.

The bills also establish penalties for licensees, owners, administrators or operators of a health facility that knowingly and willfully fail to conduct criminal history checks. Failure to conduct a background check could result in a misdemeanor punishable by imprisonment for up to a year or a fine of \$5,000.

The legislation is now headed to the House of Representatives for consideration.

### **Eminent Domain**

The rights of Michigan's private property owners will be before voters on the ballot in 2006 thanks to a constitutional amendment approved by the Legislature.

Following the U.S. Supreme Court decision in the Kelo v. City of New London case, which allows the seizure of private property for private economic development projects, a constitutional amendment was drafted to help protect the rights of Michigan's private property owners. Senate Joint Resolution E would strengthen Michigan's constitution by defining public use.

SJR E was passed by both chambers with strong bi-partisan support and is slated to be on the ballot for the November 2006 general election.

### **Tax-cut legislation headed to governor**

A package of bills that would provide approximately \$600 million in tax relief to major job providers in Michigan is awaiting the governor's signature. The legislation is designed to entice businesses to come to Michigan and to strengthen our borders against other states intent on attracting Michigan jobs.

Specifically, the legislation headed to the governor will:

- Create a 15-percent refundable personal property tax credit to reduce a firm's Single Business Tax liability, effective Jan. 1, 2006.
- Establish a 100-percent new investment credit which will be given for personal property taxes paid on property directly related to jobs transferred to Michigan in 2007 and 2008. Transferred jobs are high technology or manufacturing jobs that were located in a different state or country before being moved to this state in the immediately preceding tax year. The updated version of the legislation approved today makes it easier for Michigan's Big Three automakers to take advantage of the credit.
- Change the sales tax apportionment factor from 90 percent to 92.5 percent for 2006-2007 and to 95 percent for 2008-2009. This will give a tax advantage to Michigan-based businesses who export goods as opposed to those who are based outside of Michigan but conduct business here.
- Maintain Delphi's and Visteon's current tax status, protecting them from a massive tax hike at the end of 2005.

### **District office hours**

District Office Hours on Wednesday December 21, 2005

10:00 a.m. to 11:00 a.m.  
Kimball Township Hall  
1970 Allen Rd., Kimball

2:00 p.m. to 3:00 p.m.  
Lapeer Library (Marguerite deAngeli)  
921 West Nepessing Street, Lapeer

**\* Thank you for showing an interest in Senator Gilbert's periodic E-mail News Updates. Should you know of any friends or family members who would like to be added to the mailing list, please do not hesitate to contact Senator Gilbert's office with that request. The office can be reached at [senjgilbert@senate.michigan.gov](mailto:senjgilbert@senate.michigan.gov) or toll-free at 877-GILBERT. \***